

# Haiti's Doctored 2010 Elections - A White Coup d'Etat by US, France and Canada Against Haitian Democracy

An Interview with Ricardo Seitenfus

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National elections were held in Haiti less than one year after a 7.0 magnitude earthquake in January 2010 had killed 220,000 or more, left 1.5 million people homeless, and ravaged the country's infrastructure. Accusations were rampant that the United Nations Stabilization Mission in Haiti (MINUSTAH) had introduced cholera into Haiti's river system; the resulting epidemic would kill over 8,500 and sicken hundreds of thousands. The November 28 election was contested under crisis conditions. Hundreds of thousands of voters were either shut out of the electoral process or boycotted the vote after the most popular party in the country—Fanmi Lavalas—was banned from competing, as it had been numerous times since being overthrown in a coup in 2004. Many of those displaced by the earthquake were not allowed to vote, and in the end less than 23 percent of registered voters had their vote counted.

Eyewitness testimony on election day reported numerous electoral violations: ballot stuffing, tearing up of ballots, intimidation, and fraud. Haiti's Provisional Electoral *Council (CEP)*, responsible for overseeing elections, announced that former first lady Mirlande Manigat had won but lacked the margin of victory needed to avoid a runoff. The Organization of American States (OAS) dispatched a mission of "experts" to examine the results. As a result, candidate and pop musician Michel "Sweet Micky" Martelly was selected to compete in the runoff instead of the governing party's candidate Jude Célestin.

The Center for Economic and Policy Research (CEPR) subsequently released a report showing that there were so many problems with the election tallies that the OAS's conclusions represented a political decision rather than an electoral one. CEPR reported that the CEP either didn't receive or quarantined tally sheets for some 1,326 voting booths; as a result, about 12.7 percent of the vote was not included in the final totals released by the CEP on December 7, 2010. When the OAS mission stepped in to review the tally sheets, it chose to examine only 8 percent of them, and those it discarded were from disproportionately pro-Célestin areas, as CEPR also noted. Nor did the OAS mission use any statistical inference to estimate what might have resulted had it examined the other 92 percent.

The runoff was finally scheduled for March 20, 2011, and Martelly was declared the winner with 67.6 percent of the vote versus Manigat's 31.5. Turnout was so low that Martelly was declared president-elect after receiving the votes of less than 17 percent of the electorate in the second round.

Into the fray stepped Ricardo Seitenfus, a respected Brazilian professor of international relations, who had been working as a special representative of the OAS in Haiti since 2008. After observing the electoral process, Seitenfus made statements to Swiss newspaper *Le Temps* criticizing international meddling in Haiti in general, and by MINUSTAH and NGOs in particular. He was abruptly ousted on Christmas Day. (The press was equivocal on whether Seitenfus was fired or forced to take a two-month "vacation" before his tenure as special representative ended in March 2011.)

In his new book, *Haiti: Dilemas e Fracassos Internacionais* ("International Crossroads and Failures in Haiti," to be published in Brazil later this year by Editora Unijui), Seitenfus takes a long view of the electoral crisis that he witnessed in 2010. In his account, Haiti's tragedy began over two centuries ago in 1804, when the country committed what Seitenfus terms its "original sin," an unpardonable act of *lèse-majesté*: it became the first (and only) independent nation to emerge from a slave rebellion. "The Haitian revolutionary model scared the colonialist and racist Great Powers," Seitenfus writes. France demanded heavy financial compensation from the new republic as a condition of its honoring Haiti's nationhood, and the United States only recognized Haiti's independence in 1862, just before abolishing its own system of slavery. Haiti has been isolated and manipulated on the international scene ever since, its people "prisoners on their own island."

Was Seitenfus let go for calling the relationship between the government of Haiti and NGOs "evil or perverse"? For his accusations about the cholera cover-up? Or, more troubling, because of his knowledge of how a secret "Core Group" was quietly orchestrating the elections against then-President Rene Préval? In this interview, Seitenfus shares his view of international plans for a "silent coup d'etat," electoral interference, and more.

Q: Before getting to the 2010 election, let's start with the cholera epidemic we now know was caused by MINUSTAH in October 2010. You write about the "shameless" attitude of the UN and ambassadors of the so-called "friends of Haiti"—countries that refused to take responsibility after MINUSTAH introduced cholera to Haiti. You say that this "transforms this peace mission into one of the worst in the history of the United Nations." Would you be willing to testify in the current class action lawsuit, filed in a U.S. federal court, accusing the UN of gross negligence and misconduct on behalf of cholera victims in Haiti?

**RS:** There is no doubt that the UN—especially former MINUSTAH head Edmond Mulet and Secretary-General Ban Ki-moon—systematically denied its direct and scientifically verified responsibility for the introduction of Vibrio cholera into Haiti, projecting a lasting shadow over that peace operation. What is shocking is not MINUSTAH's carelessness, but the lie, turned into strategy, by the international community, including the "Group of Friends of Haiti." It constitutes an embarrassment that will forever mark the relations of these countries with Haiti.

Even former U.S. President Bill Clinton, serving as the UN's special envoy to Haiti, publicly admitted in 2012 that it was UN employees who brought cholera to the country. Yet the UN is hiding behind the immunity clause conferred by the July 9, 2004 agreement signed with Haiti legalizing MINUSTAH's existence. This despite the fact that this agreement was signed not by the acting president of Haiti (as stipulated by the Haitian constitution), Boniface Alexandre, but by Prime Minister Gerard Latortue. According to the 1969 and 1986 Vienna

Conventions on the Law of Treaties, any treaty signed by someone who lacks *jus tractum*—that is, treaty making power—is null.

With its contempt for Haitian constitutional rights and international law, the UN demonstrated once again the levity with which it treats Haitian matters. Responsible for establishing the rule of law in the country, according to its own mission, the U.N. does not follow even its own fundamental provisions, thus making the text that it supports and that should legalize its actions in Haiti void and ineffective. Because MINUSTAH's very existence is plagued with illegalities, the UN's attempt to deny its responsibility for introducing cholera in Haiti can be easily circumvented. I am and will always be available to any judicial power that deals with this case, including federal courts in the United States.

### Q: In your book, you write about international collusion in plans for a "silent coup." Why wait until now to name the perpetrators?

**RS:** No. It is not true that I kept quiet. I gave interviews to the Brazilian and international press, in late December 2010 and early January 2011, mentioning this and other episodes. (See, for example, my interviews with the <u>BBC</u> [Portuguese] and <u>Al Jazeera</u>.) The problem is that the international press was manipulated during the electoral crisis and never had an interest in doing investigative journalism. In the interviews that I gave, and especially in my book (*International Crossroads and Failures in Haiti*), soon to be published in Brazil and other countries, I describe the electoral coup in great detail.

Furthermore, the vast majority of the elements I reveal, I discovered in a scientific research project over the past three years. Many questions were hanging in the air, without adequate answers. I believe I managed to connect the different views and actors, providing the reader a logical and consistent interpretation about what happened. We are dealing with a work that is required by the historical memory, without any shadow of revenge or settling of scores.

Q: You describe a "Core Group" who you say had decided who the next president of Haiti would be before the elections even took place. Who is in this Core Group, and what else can you tell us about them? What other kinds of decisions do they make for Haiti?

**RS:** As a coordination agency for the main foreign actors (states and international organizations) in Haiti, a limited Core Group (which includes Brazil, Canada, Spain, the United States, France, the UN, the OAS, and the European Union) is an indispensable and fundamental instrument in the relations between the international community and the Haitian government. I do not question its existence in itself. The majority of the decisions in which I participated as representative to the OAS in the Core Group during the years 2009 and 2010 were sensible and important.

However, I was able to verify that on November 28, 2010 [election day], in the absence of any discussion or decision about the matter, [then head of MINUSTAH] Edmond Mulet, speaking on behalf of the Core Group, tried to remove [then president of Haiti] René Préval from power and to send him into exile. Meanwhile, the U.S. Embassy in Port-au-Prince published a press release at 9 p.m. the same day dismissing the results of the vote and imposing its position on the whole Core Group.

On that Sunday, November 28, 2010, when visiting a voting center in the city of Léogane, at

around 8:30 a.m., Mulet reiterated in interviews with radio and TV stations that everything was going normally, in spite of timely complaints by some voters who could not find their names in the list of the voting station where, as they thought, they were supposed to vote. According to Mulet,

In general everything is going well, everything is peaceful. I see a great passion of citizens and from citizens for democracy in this country. MINUSTAH is here. There is no reason to be frightened. It's an electoral celebration. There are some small administrative problems, but no big problem that is going to reduce participation.

Only four hours after making these statements, Mulet convened the Core Group for an urgent meeting in view of an alleged crisis. Before the gathering started he confided in me, with some concern, in a natural and calm way, as if what he was about to tell me was in the order of things, that: "I just finished talking on the phone with Préval, informing him that an airplane would be at his disposal to leave the country. In forty-eight hours, at the latest—that is, until Tuesday, the 30th—Prevál will have to leave the presidency and abandon Haiti."

I don't know how I managed to hide my indignant surprise in the face of such an absurdity. I kept calm, hiding behind a false sense of casualness, in order to find out what had been Préval's reaction. Mulet responded: "President Préval says he is not Aristide, but that he is Salvador Allende." <sup>1</sup> And, sounding disheartened, Mulet concluded, in Spanish: "Ricardo, we are not doing very well."

When [then Haitian Prime Minister Jean-Max] Bellerive arrived at the meeting, he asked directly, without beating about the bush, bluntly: "I would like to know whether President Prevál's mandate is on the negotiation table? Yes or no?" He looked across the room at his audience, who remained in silence. A heavy and very long silence. Glances met. It was a moment of extreme seriousness. Well beyond the fate of the then-president, the response was going to be decisive, both for the future of Haiti and for the integrity of MINUSTAH.

Mulet's words, Préval's alleged reaction, and the assertions by some of those present—in apparent agreement with Préval's departure, were all still echoing in me.

The presence of [OAS Assistant Secretary General] Albert Ramdin—a major official in the OAS present in the meeting—tied my hands and silenced my voice. What to do? In the face of Bellerive's direct question, the exalted coup plotters of the Core Group fell silent; their words still echoing in the room. A sense of the unusual was met by cowardice. Yet, it was necessary to act quickly because the first action in this tense environment would guide the debate.

We were about to commit a moral disgrace and a gross political error. With the active and crucial participation of the international community, we would be once again throwing Haiti toward the precipice.

To break a silence that seemed to have no end, and convinced that I was interpreting basic principles and not mere circumstantial interests, I took the initiative and asked to speak. It was necessary to do so, for we were about to commit a moral disgrace and a gross political

error. With the active and crucial participation of the international community, we would be once again throwing Haiti toward the precipice mentioned by the American Luigi R. Einaudi (then-Acting Secretary General of the OAS) during the February 2004 crisis. I did not even consider the possibility of unpleasant consequences, both personal and professional, that could affect me. It was the opposite. To oppose the absurdity that was intended by the international community appeared to me a simple obligation. A democratic conscience and the respect for the Haitian institutions guided my attitude. It was not going to be the OAS representative in Haiti who would speak. It would be the Brazilian and the university professor.

Taking care to state that I was speaking on my own behalf and not on behalf of the OAS, I told them that I was doing this out of a duty of loyalty to colleagues. Moreover, everyone knew the work I had done in Haiti in the preparation of the voter registry, in conditions of great difficulty. I had legitimacy, therefore, to speak. Essentially speaking to the non-Americans [i.e., those not from the Americas] present who, in theory, were not used to our political and judicial rules, I pointed out that "In 2001, in the Americas, a document entitled the Inter-American Democratic Charter was signed. This Charter signals that any modification to the mandate of a democratically-elected president, outside of the constitutional precepts, should be considered to be a putsch."

There was silence once again. A long and heavy silence. Before it got too long again, I looked at the Brazilian ambassador, who had positioned himself in front of me in this imaginary circle that we were forming, and asked: "I would like to know Brazil's position."

Igor Kipman said immediately: "Brazil shares the same interpretation."

I was relieved I was no longer alone. Next in line was the Argentinian Rodolfo Matarollo, the UNASUR [Union of South American Nations] representative, who made a similar statement. Looking desolate, [then-U.S. Ambassador to Haiti] Kenneth Merten was shaking his head, signalling his dissatisfaction with how the meeting was unfolding. When he broke his silence it was to recognize that the coup by the Core Group against Préval would fail and he said: "We're not going to talk about this anymore."

After aborting the maneuver to repeat with Préval what had been done with Aristide in February 2004, I was confident in defending my position. Outraged by the prospect that presented itself and still shocked and stunned by what I was experiencing, I concluded that when it comes to Haiti, the international community does not have limits for the actions it takes. Legality and common sense had prevailed. Until when? My hopes were still alive and I did not notice that a common international front had formed that would decide the electoral path to be followed by Haiti.

Q: You suggest that the press conference held by the various presidential candidates—excluding the governing party's candidate Jude Célestin—on the day of the election, calling for the vote to be annulled, was planned beforehand. If the Core Group already had a plan to bar a Célestin victory, why did all these candidates take part in the press conference? Were they unaware of the Core Group plan? Did the plan not involve any Haitian politicians? Was the plan always to have Martelly win, or was it simply to not let Célestin win?

RS: In my presence, the Core Group, until the fateful meeting in Edmond Mulet's residence on the early afternoon of November 28, 2010, had not taken any decision or even discussed

a strategy to give Martelly Haiti's presidency. What did happen, constantly, was an undercutting of Jude Célestin's candidacy. They accused him of being Préval's son-in-law and of being his puppet. Mulet, despite having no evidence, said that ministers would travel to the countryside with "suitcases full of money to buy votes."

Inite's [the party of Préval and Célestin] electoral campaign, being a major political party and considering the situation, was also more visible, the most well organized and the one with the most resources. Later, these advantages would become disadvantages. The version of rampant corruption was gaining credibility.

The main leader in the process of dismantling the incumbent party's candidacy was MINUSTAH's chief himself. Mulet always spoke negatively when mentioning Jude Célestin. It was in this breeding ground that two major factors intervened during the day of the election. On the one hand, there was the gathering of twelve of the eighteen candidates denouncing an alleged electoral fraud and demanding the annulment of the election. On the other, and much more decisive, were the demonstrations—mostly peaceful—that supposedly forced the members of the Core Group to seek refuge in their homes. In that moment, a dilemma presented itself and the atavistic fear of foreigners reemerged: what to do if Martelly's youth movement were to degenerate? Would MINUSTAH be willing to control it? Would it have the capacity? And at what cost?

Convinced that it would be less risky to retract itself, the Core Group decided to sacrifice the elections. Their cowardice served as an inexhaustible source of inspiration to throw away the hard work of thousands of individuals to organize the elections in extreme conditions. The logic of this strategy was to reward the main grave-diggers of the young Haitian democracy.

In short, for the international community, Haiti is not worth the trouble. Or better said, its recurring crises have made us grow accustomed to act, moved by principles that we always condemn. For someone who arrived in Haiti as a professor of democracy, our lessons leave much to be desired.

## Q: What can you tell us about the OAS expert mission that intervened in Haiti's elections? How were these "experts" chosen? How was their mandate to look at the results negotiated?

**RS:** There is little I can say since I was no longer in Haiti. I know that Brazil, Spain and the European Union pressured, in vain, to place their specialists in the OAS/CARICOM vote recount mission. The suggestion by the CEP Advisor Ginette Chérubin proposing the formation of a Special Verification Commission (SVC), fully independent from the executive and formed exclusively by Haitians, was not even considered, starting with President Préval. The nationalism and foreign non-interventionism underlying the formation of this SVC is not an item on the agenda. It would be the foreigners, and them exclusively, who were to define the will of the Haitian voter.

Although the foreign technicians, hired by the UNDP, were responsible for counting the votes, it was not enough. It was necessary to change the result of the first round. The only possibility was to annul the results in certain ballot boxes that favored Célestin. That way, he would fall back to third place at the same time that the candidate anointed by the international community would go on to participate in the second round, along with Mirlande Manigat.

After making the decision of transforming the OAS/CARICOM *Observation* mission into a vote *recounting*mission, it became necessary to sign an agreement to complement and reinforce the original one. A first draft of the agreement, written under the supervision of Albert Ramdin, OAS Deputy Secretary—in spite of the inevitable and very harsh conditions imposed on the Haitian electoral authorities—made explicit in the second article, in an unprecedented manner in the annals of the organization's electoral cooperation, that the mission would be formed by specialists "chosen by the OAS Office of the Secretary General in consultation with the governments of Canada, France and the United States of America."

What to everyone should be an unacceptable condition is an object of criticism by the European Union and Spain. However, the reserve soldiers do not interfere with the electoral diktat imposed on Haiti by the Imperial Trident (Canada, the United States, and France). Much to the contrary. The claims originated in Brussels and Madrid derived from the absence of any specific mention providing for the ex officio presence of their supposed specialists in being part of the new mission.

Insulza realizes that he should not allow—formally and legally—the recount mission to put itself at the exclusive service of the interests of three states, one of them not an OAS member. He then accepts Préval's considerations to demand a new version of the agreement. The agreement changes in form; never in its objectives or contents. Rewritten, the supplementary agreement is signed on December 29 by Gaillot Dorsainvil, CEP President; by Jean-Max Bellerive and by the Chief of the Electoral Observation Mission (EOM), Colin Granderson.

Formed by nine individuals, two of them OAS career officials—from the United States and Chile—it is interesting to note the nationality of the others: there were three citizens from the United States, two from France, one from Canada, and one from Jamaica. The traditional powers that control Haitian politics reserved for themselves the lion's share, since seven out of the nine participants were nationals from these countries.

Latin America, in turn, who aspired to play a dominant role, returned to her historical insignificance and was conspicuous by her absence. In effect, although Brazil tried to include one or two ministers from the Supreme Electoral Court in the recount mission, backed both by its financial contribution to the EOM as well as by the technical expertise of these individuals, the fact is that the OAS did not take into account the suggestion. It is very likely that the Brazilian presence would have made it difficult for the Imperial Trident to attain the mission's political objectives.

Once the agreement was signed, there was the challenge of making it operational. This was a complex task since the mission, with its new clothes and functions, was to replace the country's electoral authorities. Accordingly, it was essential to maintain the appearance that the CEP's autonomy and independence remained unharmed. This "Corneille's choice" was impossible to fulfill without the connivance of the CEP advisers, who opposed the maneuver.

The mission was to invent rules and principles that were nonexistent in the Haitian electoral regulations and entirely unknown in all other electoral systems.

The recount mission had two objectives. On the one hand, to get Jude Célestin out of the second round, and on the other, to impose this as if it were legal before the Haitian

Constitution and Electoral Law. Given that there could be no doubt about the results of the recount, the mission was to invent rules and principles that were nonexistent in the Haitian electoral regulations and entirely unknown in all other electoral systems. We are talking about an unprecedented and innovative operation that will remain in the annals of electoral audits. Thus, it decided that no candidate could have more than 225 votes—even when the average number of registered voters was 460—in each polling station. It was of little importance what level of local and regional approval each candidate had.

Still unsatisfied, the mission applied this innovative method to the candidate Jude Célestin, dismissing ex officio those ballot boxes in which he obtained 225 or more votes. To maintain a good appearance, they decided, nonetheless, to eliminate some of the votes for Mirlande Manigat and Michel Martelly. Thus, 13,830 votes were eliminated from the former and 7,150 from the latter, while Jude Célestin saw 38,541 votes disappear, or 60 percent of all the votes that were eliminated.

Although having applied a revolutionary method, the recount, unfortunately, did not reach the percentages needed to reverse the official results announced by the CEP. Since it had already abandoned all qualms and principles, the mission decided then to reduce to 150 the cutoff for the votes going to Célestin. Next, they extrapolated the votes obtained in these ballot boxes to the other candidates through simple prorating. When the reversal of Célestin's and Martelly's places was accomplished, it decided it was satisfied and concluded the operation.

It was never a concern for the recount mission to identify the existence of fraud. It did not perform any analysis of the voting tallies, of the data transfer, or of the voters' identity cards.

It also had no interest in auditing the results of the ballot boxes. Despite calling itself a recount instrument, it did not perform any audit of the votes or count of them. It simply acted until it reached its objective and decided its work was completed. Therefore, the number of votes obtained by each of the candidates will never be known.

Swiftly, promptly and in bad faith, on January 13 the EOM, equipped with its unprecedented powers and applying a methodology below any suspicion, decided that Mirlande Manigat remained in first place with 31.6 percent of the vote, with the second place now going to Michel Martelly (22.2 percent). Jude Célestin was relegated to third place, after obtaining 21.9 percent. There was a slight reversion of the percentages, enough to rid that candidate from the second round.

Once again, the international community had behaved in Haiti as if it were in conquered territory. It boldly put into practice, absent any legal, technical or moral basis, a white coup and a blatant electoral intervention.

Once its alleged recount work was over, and anticipating the official release of its recommendations to the Haitian authorities, the results of the recount mission were leaked out to the press through two international news agencies. Coinciding with the nationality of a good portion of the alleged experts in the mission, the American Associated Press (AP) and the French Agence France-Presse (AFP) were selected, agencies which lent themselves willingly to the maneuver. Since in this game no one is naïve, the leaks had the clear objective of becoming accomplished facts. Later they did.

In the fifty years of electoral cooperation offered by the OAS to the member states, it had never dared to adopt these procedures. It had never so evidently and shamelessly replaced not only the electoral authorities of the sponsoring state, but also the voters themselves.

The basic rules that guide the OAS observation and electoral monitoring missions were violated. Its procedures manual was not followed. As a result of the debacle of one of the most respected instruments of the American [i.e., Americas] system, the Director of the OAS Department of Electoral Cooperation, the Chilean Pablo Gutiérrez, presented his resignation.

This episode marked the OAS with a permanent stain and became the most regretful, though little known, event in [OAS Secretary General] José Miguel Insulza's administration.

One cannot disagree with René Préval when, faced with the ratification of the election of a candidate imposed by the United States through the international community, he asked himself: "In this case, why were elections held?"

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A full version of the interview is available at <u>CEPR</u> and the <u>LA Progressive</u>.

#### **Notes**

- 1. Haiti's democratically-elected president Jean-Bertrand Aristide was flown out of Haiti in 2004 in what he called a "kidnapping in the service of a coup d'etat." Chile's democratically-elected president Salvador Allende committed suicide in the presidential palace during the country's September 11, 1973 coup.
- 2. French expression referring to a difficult choice.

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